

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

CENTURY SERVICES LP

PLAINTIFF

VS.

CIVIL ACTION NO. 5:09-cv-117(DCB)(JMR)

TUG KRISTIN LEE HANNAH
(Ex DAVID E)
IN REM

DEFENDANT

ORDER POSTPONING INTERLOCUTORY SALE OF VESSEL

This cause is before the Court on the plaintiff Century Services LP's motion to postpone sale (**docket entry 42**). Having carefully considered the motion, as well as the response of the intervenor Upper Mississippi River Fleeting, Inc., the Court finds as follows:

On January 28, 2010, this court entered a Decree Ordering Sale of Vessel, ordering that sale of the M/V KRISTIN LEE HANNAH take place on February 19, 2010. On January 29, 2010, a Writ of Venditioni Exponas issued to the United States Marshal for the Southern District of Mississippi. On February 11, 2010, the plaintiff filed a motion for modification of the Court's January 28, 2010 Order. The following day, a Friday, the Courthouses in Natchez and Jackson were closed due to inclement weather. The following Monday, February 15, 2010, the Courthouses were closed for President's Day. On Tuesday, February 16, 2010, the Court received the intervenor's response to the plaintiff's motion, which had been filed on Friday, February 12, 2010. Also on February 16,

2010, the Court received the plaintiff's emergency motion to postpone the sale, and the intervenor's response opposing the postponement. The plaintiff seeks to postpone the sale in the event the Court cannot rule on its motion for modification before the February 19, 2010, sale date. The Court finds that it cannot address the merits of the motion for modification, for which oral argument will likely be needed, prior to February 19, 2010. The plaintiff's request for postponement of the sale date shall therefore be granted. Accordingly,

IT IS HEREBY ORDERED that the plaintiff Century Services LP's motion to postpone interlocutory sale (**docket entry 42**) is GRANTED, and the sale of the M/V KRISTIN LEE HANNAH, scheduled for Friday, February 19, 2010, is hereby postponed until further Order of this Court;

FURTHER ORDERED that the Decree Ordering Sale of Vessel (docket entry 34) and Writ of Venditioni Exponas (docket entry 35) are VACATED until further Order of this Court.

SO ORDERED, this the 17th day of February, 2010.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE